

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

DAVID M. BERNIER &
BERNIER ENTERPRISES, INC.

Plaintiffs,

vs.

JACQUES J. ATALLAH &
MED-LEB TECHNOLOGY LLC,

Defendants.

Case No.: 1:15-cv-00726
(Arcara)

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that Plaintiffs, by and through undersigned counsel, hereby voluntarily dismiss their action pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, without prejudice to the refiling of same against the Defendants herein, Jacques J. Atallah and Med-Leb Technology LLC.

This, the 24th day of April, 2017.

Respectfully submitted,

WESOLOWSKI LAW GROUP, P.C.

/s/ Keith R. Wesolowski

Keith R. Wesolowski, Esq.
640 Ellicott Street, Suite 403
Buffalo, NY 14203
(716) 208-7080
E-mail: keith@wesolowskilaw.com
Attorneys for the Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically through the Court's electronic case filing system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. All other parties will be served by U.S. Mail.

I hereby certify that a true and accurate copy of the foregoing has been served via U.S. Mail upon the following:

Jacques J. Atallah
826D Robin Road
Buffalo, New York 14228

And

Med-Leb Technology LLC
c/o Spiegel & Utrera, P.A., P.C.
45 John Street, Suite 711
New York, New York 10038

This the 24th day of April, 2017.

/s/ Keith R. Wesolowski

Keith R. Wesolowski